

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 3881 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who is arrayed as accused No.1, seeking anticipatory bail in Crime No.6 of 2025 of Maddur Police Station, Narayanpet District registered for the offence punishable under Section 105 of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. Heard Sri S.Ganesh, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 04.01.2025 at about 8-00 hours the *de-facto* complainant viz., Smt. Vadla Nelamma went to police station and lodged a complaint stating that on 04.01.2025 at about 05:00 hours she came to know that her husband Vadla Kurumurthi went to fields and died due to electric shock and she went to the fields and found her husband dead. She further stated that the reason for electric shock is Duppatigattu villager by name Sai Reddy has arranged electricity around his groundnut crop in Sy.No. 108 and one Harijan Ramulu

r/o Duppatigattu village who is tenant of the land of Venkat Reddy B/o Sai Rededy arranged electricity around the land with binding/GI wire and supplying electricity during night time, to protect the groundnut crop without any permission and without any precautions by knowing that it will cause endanger to the human being, if they came in contact. Her husband went to the fields, located beside the said land, and his left leg came into contact with a live electric wire, while supplying water to paddy crop, resulting his death on the spot due to electric shock. Basing on the said complaint, a case in Crime No. 6 of 2025 was registered for the offence under Section 105 of BNS.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offence and he has been falsely implicated in the present crime. He further submitted that the ingredients of Section 105 of BNS are not attracted to the petitioner and material part of the investigation is completed. The petitioner is an agriculturist and suffering with disability and he is ready and willing to cooperate with the investigation and he will abide by the conditions, which are going to be imposed by this Court. He further submitted that the subject property belongs to his brother/A2 and the petitioner is only tenant of the subject property. Accused Nos.2 and 3 were already arrested and enlarged

on bail. Therefore, prays to grant anticipatory bail to the petitioner.

5. *Per contra*, learned Assistant Public Prosecutor submitted that the petitioner has committed a grave offence and the investigation is not yet completed. The petitioner is a tenant and raised groundnut crop in the land in Sy.No. 108 of one Venkat Reddy and he arranged electricity around his groundnut crop and supplying the electricity during night time to protect the groundnut crop without taking any permission or precautions and the deceased died due to electrocution. If the petitioner is granted anticipatory bail, he will interfere with the investigation and also there is a chance to influence the witnesses. Therefore, the petitioner is not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that accused No.2 was already arrested and enlarged on bail and the learned Additional Public Prosecutor has not disputed the same. Taking into consideration the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner/accused No.1 with the following conditions:

- (i) Petitioner/accused No.1 is directed to surrender before the S.H.O., Maddur P.S. on or before

02.04.2025 and on such surrender, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.25,000/-(Rupees Twenty Five thousand only), with two sureties for a like sum each to his satisfaction.

- (ii) On such release, petitioner/accused No.1 shall appear before the S.H.O., Maddur Police Station on every Monday at 11-00 a.m. for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, and thereafter, whenever required by the police.
- (iii) Petitioner/accused No.1 shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.
- (iv) Petitioner/accused No.1 shall not interfere with the investigation or influence the witnesses.

7. Accordingly, the Criminal Petition is allowed.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

JUSTICE J.SREENIVAS RAO

Date: 26.03.2025
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